

the sale, give or trade of any alcoholic liquor to any person under twenty-one (21) years of age. (Ord. 6296)

4-110

CATERERS; NOTICE TO CHIEF OF POLICE.

Prior to any event at which a caterer shall sell or serve alcoholic liquor by the individual drink, a caterer shall provide written notice to the Chief of Police at least seven (7) days prior to the event if the event will take place within the City. The notice shall contain the location, name of the group sponsoring the event, and the exact date and time the caterer will be serving. (Ord. 5828)

4-111

CITY TEMPORARY PERMIT.

(A) It shall be unlawful for any person to conduct an event under a state-issued temporary permit without first applying for a local temporary permit at least seven (7) days before the event. Written application for the local temporary permit shall be made to the City Clerk and shall clearly state:

- (1) Name of the applicant;
- (2) The group for which the event is planned;
- (3) The location of the event;
- (4) The date and time of the event;
- (5) Any anticipated need for police, fire or other municipal services.

(B) Upon presentation of a state temporary permit, payment of the City's temporary permit fee and a written application as provided for in Subsection (A), the City Clerk shall issue a local temporary permit to the applicant if there are no conflicts with any zoning or other ordinances of the City.

(C) The City Clerk shall notify the Chief of Police whenever a temporary permit has been issued and forward a copy of the permit and application to the Chief of Police. (Ord. 5828)

4-112

PENALTY.

If any licensee violates any of the provisions of this Article, the Governing Body of the City, upon ten (10) days written notice to the licensee, may, upon hearing, permanently revoke or cause to be suspended for a period of not more than six (6) months the license; or, in the alternative, the individual holding the license may be charged in the municipal court with a violation of the alcoholic liquor laws of the City and upon conviction shall be found guilty of a misdemeanor. (Ord. 5828)

4-113

RESTRICTIONS ON LOCATION.

(A) No license for the sale of alcoholic liquor shall be issued by the City Clerk if the building or use does not meet the zoning ordinance requirements of the City or conflicts with other City laws, including building, fire, or health codes. (Ord. 9557)

(B) In no event shall a retailer's license be issued for a premises which is located within 200 feet of any school, college, or church, except that if any such school, college, or church is established within 200 feet of any licensed premises after the premises has been licensed, then the limitation imposed by this Subparagraph (B) shall not apply to such premises. (Ord. 5828; Ord.

4-114

ADDITIONAL REQUIREMENTS FOR CITY LICENSURE FOR PRIVATE CLUBS AND DRINKING ESTABLISHMENTS.

- (A) The City Commission may require additional conditions for the issuance of a city license or continued retention of existing city license for a private club or drinking establishment, upon a finding that the public health, safety, or welfare require such conditions. The City Manager shall recommend conditions for licensure, as appropriate. Such conditions of licensure may include, but are not limited to the following:
 - (1) Exterior lighting requirements;
 - (2) Exterior fencing requirements;
 - (3) Appropriate structural additions, deletions or changes to the premises to: reduce loitering by patrons outside the premises, reduce noise from the premises, reduce littering by employees and patrons, or such other structural changes that may be necessitated in the interest of public health, safety or welfare.
 - (4) Posting in the premises or outside the premises appropriate notices or signs advising patrons to leave the area after closing, respect property rights of neighbors and other appropriate notices and signs which the City Commission may require.
 - (5) Reduced hours of operation from those provided in Section 4-109.
 - (6) Such other conditions as may be appropriate for the protection and preservation of public health, safety or welfare.
- (B) Additional requirements for City licensure of a private club or drinking establishment as set out in Subsection (A) shall only be imposed after the license holder or applicant has been mailed, to the address on the license or application, by certified mail, return-receipt requested, notice of the proposed conditions. After the posting of the certified mail, the license holder or applicant shall have ten (10) days to submit a written request to the City Clerk for a hearing before the City Commission on the proposed conditions.
- (C) The City Commission may issue a city license conditioned upon the licensee complying with all requirements within thirty (30) days after license issuance of such time as established by the City Commission.
- (D) During the duration of a city license, the City Commission may require additional conditions on a city license, under procedures and requirements set forth under this Section. (Ord. 6296)

4-115

REVOCATION OR SUSPENSION OF CITY LICENSE FOR PRIVATE CLUB OR DRINKING ESTABLISHMENT.

The City Commission may revoke or suspend the license of a private club or drinking establishment under this chapter for any one or more of the following reasons:

- (A) Suspension or revocation of State license.
- (B) Violation of any provisions of K.S.A. 41-2601 et seq.